

**REMARKS**

Claim 1 remains in the present application. Claims 2 - 23 have been cancelled previously. Claims 24-27 have been added. Based on the remarks herein, Applicant respectfully requests that the Examiner reconsider and withdraw all outstanding rejections.

Claim 1 was rejected under 35 U.S.C 103(a) as being unpatentable over U.S. Patent No. 6,865,237 issued to Boariu, et al. (*Boariu*) in view of U.S. Patent No. 7,010,053 issued to El-Gamel (*El-Gamel*). For at least the reasons set forth below, Applicants submit that claim 1 and new claims 24-27 are not rendered obvious by *Boariu* and *El-Gamel*. Claim 1, as amended, recites:

generating a rate-one, space-frequency code matrix from the received content for transmission via the plurality of three or more transmit antennae to a plurality of receive antennae, wherein the plurality of three or more transmit antennae provide full space-frequency diversity of  $M*N*L$ , where M is a number of transmit antenna, N is a number of receiver antenna, L is a number of matrix channel taps.

Thus, Applicants claim three or more transmit antennae and a plurality of receive antenna where full space-frequency diversity of  $M*N*L$  is provided. Support for the amendments can be found, for example, in paragraphs 0023 and 0034.

Applicants agree with the Office Action that *Boariu* fails to disclose full space-frequency diversity of  $M*N*L$ . See page 3. The Office Action cites *El-Gamel* as teaching full space-frequency diversity of  $M*N*L$ . See page 3. However, as acknowledged in the Office Action, N is limited to 1. In contrast, the claims recite a plurality of receive antennae. Therefore, the combination of *Boariu* and *El-Gamel* does not teach or suggest the invention as claimed.

Claims 24-27 depend from claim 1. Because dependent claims include the limitations of the claims from which they depend, Applicants submit that claims 24-27 are not rendered obvious by *Boariu* and *El-Gamel* for at least the reasons set forth above.

For at least the foregoing reasons, Applicants submit that the rejections have been overcome. Therefore, claim 1 is in condition for allowance and such action is earnestly solicited. The Examiner is respectfully requested to contact the undersigned by telephone if such contact would further the examination of the present application. Please charge any shortages and credit any overcharges to our Deposit Account number 02-2666.

Respectfully submitted,  
**BLAKELY, SOKOLOFF, TAYLOR & ZAFMAN, LLP**

Date: March 30, 2009

/Paul A. Mendonsa/

Paul A. Mendonsa

Reg. No. 42,879

12400 Wilshire Boulevard  
Seventh Floor  
Los Angeles, CA 90025-1026  
(503) 439-8778